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WITH THE
N.J. BOARD OF DENTISTRY
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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY

Respondent had returned to the practice of dentistry in July of 1989 following a revocation of his license by the Board in 1987 for writing and directing pharmacists to issue prescriptions in the name of others for his personal use for purposes unrelated to the practice of dentistry; entering a guilty plea in 1986 to obtaining possession of a CDS by misrepresentation or fraud; violating the terms of a 1984 Consent Order requiring him to cease and desist from possessing, purchasing, prescribing or dispensing all CDS for

personal consumption; and generally, suffering from an addiction to CDS which rendered him incapable, for medical reasons, of discharging the functions of a licensee in a manner consistent with the public's health, safety and welfare.

Pursuant to the 1987 order, respondent was able to apply for reinstatement not sooner than January 1989. Respondent did, in fact, seek reinstatement of his license and appeared before the Board in June 1989.

Following review of the entire record developed in connection with respondent's application for reinstatement, the Board determined that respondent could have his license reinstated subject to certain conditions which were imposed by Order dated July 5, 1989 and later modified by Order dated May 16, 1991.

Pursuant to the May 1991 Order, the only remaining restriction prohibited Respondent from prescribing or possessing controlled dangerous substances for his personal use except pursuant to a bona fide prescription written by a physician or dentist for good medical cause. In addition, Respondent was only permitted to prescribe controlled dangerous substances for patients in accordance with certain terms and conditions detailed in that Order.

Subsequently, respondent relapsed to narcotic dependency which rendered him unable to practice dentistry safely. Thus, on April 29, 1996, respondent voluntarily surrendered his license. Pursuant to the provisions of that Order, respondent now seeks reinstatement of his license to practice dentistry in the State of New Jersey.

Following review of the documents provided in connection with respondent's most recent application for reinstatement, including the report of Frank J. Dyer, Ph.D. which states that respondent is ready to return to dental practice with certain restrictions and respondent's letter requesting reinstatement with supporting documentation, the Board has determined that respondent may have his license reinstated subject to the conditions outlined in this Order. The Board finds that the restrictions placed on respondent's practice by this Order are adequate to protect the health and welfare of the public, and that good cause exists for entry of this order:

IT IS ON THIS 18th DAY OF NOVEMBER, 1998

HEREBY ORDERED THAT:

1. The license of Robert E. Wollman, D.D.S., to practice dentistry in the State of New Jersey shall be reinstated effective on the entry date of the within Reinstatement Order, expressly contingent upon continuing compliance with the following terms and conditions:

a) Dr. Wollman shall continue to have his urine monitored by the New Jersey Dental Association Chemical Dependency Program. The monitoring shall occur weekly and shall be random and unannounced. All test results shall be provided to Agnes Clarke, Executive Director of the Board, or her designee in the event she is unavailable, following each weekly test. The Board also will retain sole discretion to modify the manner of testing in the event technical developments or individual requirements indicate that a

different methodology or approach is required in order to guarantee the accuracy and reliability of the testing.

Any failure by respondent to submit or provide a urine sample within twenty-four (24) hours of a request will be deemed to be equivalent to a confirmed positive urine test. In the event respondent is unable to appear for a scheduled urine test or provide a urine sample due to illness or other impossibility, consent to waive that day's test must be secured from Agnes Clarke or her designee. Personnel at the lab facility shall not be authorized to waive a urine test. In addition, respondent must provide the Board with written substantiation of his inability to appear for a test within two (2) days, e.g., a physician's report attesting that respondent was so ill that he was unable to provide the urine sample or appear for the test. "Impossibility" as employed in this provision shall mean an obstacle beyond the control of respondent that is so insurmountable or that makes appearance for the test or provision of the urine sample so infeasible that a reasonable person would not withhold consent to waive the test on that day.

In the event respondent will be out of the State for any reason, the Board shall be so advised so that arrangements may be made at the Board's discretion for alternate testing. The Board may, in its sole discretion, modify the frequency of testing or method of testing during the monitoring period.

Respondent shall be responsible for any and all costs associated with the urine monitoring program.

b) Respondent shall not practice as a sole practitioner and agrees to practice dentistry, under the supervision of a dentist licensed by this Board, who shall be in a position to monitor respondent's practice of dentistry. Respondent shall submit the name of the supervising dentist to the Board for approval prior to engaging in practice. Respondent shall provide to the supervising dentist a copy of this Order and any further orders of the Board related to respondent. Respondent shall be responsible for ensuring that the supervising dentist prepares and submits quarterly reports detailing respondent's practice of dentistry. Respondent agrees that the supervising dentist shall immediately report any conduct suggestive of recurrence of drug abuse or any relapses or suspected relapses by respondent to the Board of Dentistry within twenty-four (24) hours thereof. Respondent shall immediately report and obtain Board approval before any change in affiliation with his supervising dentist.

c) Respondent shall attend NA or AA meetings. Respondent shall provide evidence of attendance at such groups directly to the Board. If respondent discontinues attendance at meetings without obtaining approval of the Board, he shall be deemed in violation of this Order.

d) Respondent shall not prescribe controlled dangerous substances until further order of the Board. Respondent shall also not have access to or possess any controlled dangerous substance except pursuant to a bona fide prescription written by a physician for good medical cause in his own treatment. In addition, respondent shall advise any and all treating physicians and/or

dentists of his history of substance abuse. He shall cause any physician or dentist who prescribes medication which is a controlled dangerous substance to provide a written report to the Board together with patient records indicating the need for such medication and confirming that the practitioner was advised in advance of the history of substance abuse. Such report shall be provided to the Board no later than 2 days subsequent to the prescription in order to avoid any confusion which may be caused by a confirmed positive urine test as a result of such medication.

e) Respondent shall provide any and all releases to any and all parties who are participating in the monitoring, treating or other program as outlined herein, as may be required in order that all reports, records, and other pertinent information may be provided to the Board in a timely manner. With regard to any requirement for submission of the quarterly reports to the Board, the beginning of the first quarter is deemed to have commenced October 1, 1998.

f) Upon the Board's receipt of any information which the Board, in its sole discretion, deems reliable demonstrating that respondent has failed to comply with any of the conditions of this Order, including but not limited to report of a confirmed positive urine, or a prima facie showing of a relapse or recurrence of alcohol or drug abuse, respondent's license to practice dentistry shall be temporarily suspended pending a hearing before the Board or a committee of the Board, within ten days, which hearing shall be limited to the issue of the violation found. Any confirmed positive urine shall be presumed valid, and respondent has the

burden of demonstrating that the results were not valid or that the chain of custody was breached. If after the hearing the Board finds this order has been violated, respondent consents to the revocation of his license.

g) Respondent may apply for modification of the terms and conditions of this Order no sooner than six months from the entry date herein. Until such time as the Board issues an order modifying the terms and conditions contained herein, all restrictions imposed on respondent's license to practice dentistry in the State of New Jersey shall remain in full force and effect.

New Jersey Board of Dentistry

By: _____



Abraham Samansky, D.D.S.
President